

05/22/00  
jc830 U.S. PTO

05-24-00

CERTIFICATE OF EXPRESS MAIL

NUMBER EL548524147US  
DATE OF DEPOSIT May 22, 2000

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jc525 U.S. PTO  
09/576101  
05/22/00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: FBRC:004USC1/HYL

Prior Application Examiner:  
Mary Tung

Classification Designation:

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Prior Group Art Unit: 1644

REQUEST FOR FILING CONTINUATION APPLICATION  
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 08/776,337 filed April 21, 1997, entitled "POLYEPITOPE VACCINES."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 08/776,337 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such

willful false statement may jeopardize the validity of the application or any patent issuing thereon.

- (a) ☒ The inventorship is the same as prior Application Serial No. 08/776,337.
- (b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).
- (c) ☒ Priority of foreign patent application numbers PM7079, filed 7/27/94, and PM 1009, filed February 8, 1995 in Australia is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:
- ☐ is enclosed.
- ☐ has been filed in the prior Application Serial No.
- ☒ has not been filed.

- ☐ 2. The Assistant Commissioner is requested to grant Applicant a filing date in accordance with Rule 1.53, and supply Applicant with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).
- ☒ 3. Enclosed is a check in the amount of \$786.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$690.00
Total Claims	21 - 20 =	1 X	\$18.00 =	\$18.00
Independent Claims	4 - 3 =	1 X	\$78.00 =	\$78.00
Multiple Dependent Claim(s) -----				\$-0-.00
<b>TOTAL FILING FEES:</b>				<b>\$786.00</b>

- ☐ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☐ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Fulbright & Jaworski Account No.: 50-1212/10011879/01973.
- ☐ 6. Enclosed is a copy of the current Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:

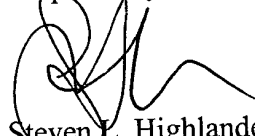
Steven L. Highlander  
FULBRIGHT & JAWORSKI, L.L.P.  
600 Congress Avenue, Suite 2400  
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- ☒ 8. The prior application is presently assigned to The Council of the Queensland Institute of Medical Research, Commonwealth Scientific and Industrial Research Organisation, The University of Melbourne, The Walter and Eliza Hall Institute of Medical Research of Royal Melbourne Hospital, Biotech Australasia PTY Limited, and CSL Limited.
- ☒ 9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
- ☐ 10. Cancel in this application claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
- ☒ 11. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. 08/776,337 filed April 21, 1997, which is a 371 nationalization of PCT/AU95/00461, filed July 27, 1995, which claims priority to Australian Patent Application 1009, filed February 8, 1995 and Australian Patent Application 7079, filed July 27, 1994. --
- ☐ 12. Enclosed are formal drawings.
- ☐ 13. An Information Disclosure Statement (IDS) is enclosed.
  - ☐ (a) PTO-1449.
  - ☐ (b) Copies of IDS citations.
- ☒ 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. 08/776,337 filed April 21, 1997, for

use in this application. Under 37 C.F.R. § 1.821(e), Applicant states that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. 08/776,337 filed April 21, 1997. Under 37 C.F.R. § 1.821(f), Applicant also states that the information recorded in computer readable form is identical to the written sequence listing.

- ☒ 15. Other: Copy of Petition to Revive of Parent Application 08/776,337 filed concurrently herewith.
- ☒ 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Steven L. Highlander  
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Attorney for Applicant

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Date:

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